

REMARKS

Reconsideration of the application in view of the foregoing amendment is respectfully requested.

By the present amendment, claim 1 has been amended to correct a formal error therein.

Based on the foregoing amendments and the following remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

I. Rejection Under 35 U.S.C. § 112

The Examiner rejected claims 1-3, 9, and 10 under 35 U.S.C. § 112, second paragraph, for being indefinite, pointing out the language in claim 1 rendering claim 1 and claims dependent thereon indefinite.

As noted above, claim 1 has been amended to correct a formal error therein which led to the indefiniteness rejection.

It is respectfully submitted that all claims, now pending in the application, comply with all of the requirements of 35 U.S.C. § 112.

II. Rejection Over the Prior Art

Claims 1-3 and 9-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Otsuki, et al., U.S. Patent No. 4,962,881 (Otsuki) in view of Grove, U.S. Patent No. 3,972,507 (Grove), as evidenced by Kim, U.S. Patent No. 4,364,544 (Kim).

It is respectfully submitted that claims 1-3 and 9-10 are patentable over the combination set forth in the Office Action.

Specifically, claim 1 recites a valve spring formed of at least one substantially hollow body made of an elastomeric material. Such valve spring is not disclosed or suggested in the prior art, including all of the prior art of record in the application.

Considering the prior art, Otsuki, as is recognized by the Examiner, does not disclose a hollow body spring made of an elastomeric material. The Office Action asserts that the hollow body (48) of Grove, which is made of an elastomeric material, can act as a spring, in view of the “spring (100)” of Kim.

Grove discloses a gate valve with a displaceable seat ring (26) which is biased toward the gate (18) by spring means (32) (column3, lines 1-3). The hollow elastomeric body (48) forms a seal (sediment guard). There is no suggestion

whatsoever in Grove that the body (48) acts as a spring. The body (48) is a pure seal similar to the seal (43) the resilient force of which, by the way, acts in a direction opposite to the direction the resilient force of the seal (48) acts.

Kim discloses a gate valve similar to that of Grove and likewise discloses a seat ring (56) that is biased toward the gate by coil springs (68) (column 5, lines 60-64). The arrangement of body (94) and spring (100) forms a sediment guard (92) similar to the guard (48) of Grove (Kim, column 7, lines 6-12, column 7, lines 27-32). It is noted that in Kim the spring force of the spring (100) acts in a direction opposite the direction the seat (56) is displaced in when being movable toward the gate.

It is noted that Kim is specifically directed to improvement of the sediment guard of Grove which is discussed in the description of the prior art (column 2, lines 1-2), and the provision of a sediment guard formed of the body (94) and the spring (100) constitutes such an improvement (column 2, line 66 – column 3, line 4; claim 1 (f)).

It is respectfully submitted that Kim contains no suggestions whatsoever that the hollow body (seal) (48) of Grove can be used for biasing a valve seat (displaceable valve member) toward the gate.

In view of the above, it is respectfully submitted that provision of a valve spring formed as a hollow body made of an elastomeric material is not disclosed or suggested in the prior art, and claim 1 is, therefore, patentable over the prior art and is allowable.

Claims 2-3 and 9-10 depend on claim 1 and are likewise allowable.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place the case in condition for final allowance, it is respectfully requested that such amendment or correction be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,



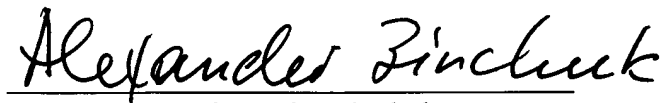
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